

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 24TH OCTOBER 2007 / 2ND KARTHIKA 1929

Bail Appl..No. 6482 of 2007()

CRIME NO.133/07 OF THE MAVELIKARA EXCISE RANGE.

PETITIONER

**BIJU, @ TRIPPER BIJU BIJU BHAVANAM,
NADUVILEMURI, PALLICKAL, BHARANICKAVU VILLAGE,
MAVELIKARA TALUK.**

BY ADV. SRI.K.SASIKUMAR

RESPONDENTS:

**STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

**THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD
ON 24/10/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

R.BASANT, J

B.A.No.6482 of 2007

Dated this the 24th day of October, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 12.5 litres of arrack on 29.09.07. He was arrested and continues in custody from that date. The petitioner has no record of having committed any offence under the Abkari Act. He is an accused in several other crimes for other offences, submits the learned Public Prosecutor . The petitioner has remained in custody from 29.09.07.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that appropriate safeguards are insisted and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 01.11.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer from the date of his release between 10 a.m and 12 noon on all Mondays and Fridays for a period of 3 months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-